

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR REGULAR CITY COUNCIL MEETING

July 10, 2007
Council Chambers, City Hall
8:30 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

Invocation – Reverend Lisle Davis
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. TOM LEA MONTH**
- 2. UPPER RIO GRANDE WORKFORCE DEVELOPMENT MONTH**
- 3. PHO FAMILY REUNION DAY**

RECOGNITION

STAR ON THE MOUNTAIN AWARD TO
MAYOR OF JUAREZ, MEXICO, MAYOR HECTOR MURGUIA

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of June 26, 2007.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the actions of the Mayor and City Manager in authorizing the Department of Homeland Security Customs and Border Protection to land and display a helicopter at the El Paso Zoo in connection with the Military, Fire, and Law Enforcement Appreciation Day of July 7, 2007, constituted an important public purpose to the City and such actions are hereby ratified as a waiver to Section 14.12.080 of the El Paso City Code. **(District 3)**

[City Attorney's Office, Raymond Telles, (915) 541-4550]

3B. That the El Paso City Council hereby renames the entire length of the street currently known as Export Place, which begins east of Interstate 10 and north of Helen of Troy Drive, and authorizes the City Manager to take the necessary steps to change the name from Export Place to New Harvest Place. This is located within the City of El Paso, El Paso County, Texas. **(District 1)**

[Development Services/Planning, Christina Stokes, (915) 541-4627]

3C. That the City Manager be authorized to sign an Agreement by and between the City of El Paso and JNC Development, Inc., to allow JNC Development, Inc. access to a City ponding area on Lot 7, Block 45, Sun Ridge Unit 9, El Paso, El Paso County, Texas, to construct ponding area improvements. There is no cost to the City. **(District 5)**

[Development Services/Planning, Kareem Dallo, (915) 541-4425]

3D. That the award of Contract No. 2007-134 (Forensic Laser System, Portable) to Newport Corporation is rescinded and the bid solicitation and the prior award made on May 1, 2007, are declared null and void. **(All Districts)**

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

3E. That the City Manager be authorized to sign the grant application, including all understandings and assurances contained therein, and apply for, accept, reject, alter, or terminate the grant in the amount of \$117,597.14 from the COPS Secure Our Schools Code Blue Program with local cash match of \$117,597.14 for a grand total of \$235,194.28. Cash match requirement of \$117,597.14 is being provided from the Confiscated Fund #21150060-16371-500231. **(All Districts)**
[Police Department, Paul Cross, (915) 564-7310]

3F. That five members of the Ethics Review Commission be designated to serve on the Ethics Ordinance Review Ad Hoc Committee, on an ad hoc advisory basis with the members of the Rules Legislative Review Committee, to review and make recommendations to the City Council on potential revisions to the City's Ethics Ordinance, and those members are designated as follows:

Andre Ewing
Gerald Mangrum
Jesus Padilla
Isela Pena
George Reynoso
[Representative Beto O'Rourke, (915) 541-4268]
POSTPONED FROM 6-26-07

3G. A Resolution authorizing the City Manager to sign an agreement between the City of El Paso and the El Paso Texas Stake of the Church of Jesus Christ of Latter-Day Saints to allow the youth of the church to enter certain city property to paint mutually acceptable scenes on the property to beautify and protect the property from vandalism and graffiti. The mural will be painted on the concrete spillway of the Carolina retention dam along Carolina Street. **(District 3)**
[Streets, Daryl Cole, (915) 621-6750]

4. BOARD RE-APPOINTMENTS:

- 4A.** John Doering to the Community Development Steering Committee by Representative Ann Morgan Lilly, District 1.
[Representative Ann Morgan Lilly, (915) 541-4151]
- 4B.** Judge William Moody to the History Museum Board by Mayor John Cook.
[Mayor John F. Cook, (915) 541-4145]

5. BOARD APPOINTMENTS:

- 5A.** Albert Armendariz, Jr. to the Civil Service Commission by Representative Eddie Holguin, Jr., District 6. [Representative Eddie Holguin, Jr., (915) 541-4178]
- 5B.** Alan A. Hodson to the Information Technology Advisory Board by Mayor John Cook. [Mayor John F. Cook, (915) 541-4145]
- 5C.** Yolanda J. Barbe to the City-County Animal Shelter Advisory Committee by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4996]
- 5D.** Lucinda Vargas to the Art Museum Advisory Board to fill an unexpired term by Representative Beto O'Rourke, District 8.
[Representative Beto O'Rourke, (915) 541-4268]
- 5E.** James H. Tolbert to the Building and Standards Commission by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4996]

5F. James Ratcliff, serving as alternate, to the Building and Standards Commission by Representative Melina Castro, District 4.
[Representative Melina Castro, (915) 541-4400]

5G. Analisa Cordova to the International Bridge Commission, to fill an unexpired term, by Representative Susie Byrd, District 2.
[Representative Susie Byrd, (915) 541-4996]

5H. Elizabeth Moya Quinn and Robert Warach to the Housing Finance Corporation Board of Directors to replace Presi Ortega, Jr. and Alejandro Lozano.
[Mayor John F. Cook, (915) 541-4145]

6. APPLICATIONS FOR TAX REFUND:

That the tax refunds listed on the attachment posted with this agenda be approved.
(See Attachment A) [Tax Office, Juan Sandoval, (915) 541-4369]

7. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

7A. Request that the Purchasing Manager be authorized to issue Purchase Order(s) to Road Machinery, El Paso, Texas, as they are the sole authorized dealer in the El Paso, Texas, area of repair parts, materials, and services of Komatsu Parts & Services. This is a sole-source procurement as defined under Chapter 252.022 of the Local Government Code.

Department: General Services – Fleet Division
Annual Estimated Amount: \$50,000
Account No.: 37370510 – 503125 - 45202
Funding Source: General Services Department - Fleet Services Internal Fund
Districts: All
Sole Source No.: 2007-213
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

7B. Request that the Purchasing Manager be authorized to issue Purchase Order(s) to Clark Truck & Equipment as they are the sole authorized agent in the El Paso, Texas, area of repair parts and materials of American Hawk Grapple Cranes, manufactured by Automated Waste Equipment Company, Trenton, NJ. This is a sole-source procurement as defined under Chapter 252.022 of the Local Government Code.

Department: General Services -Fleet Division
Annual Estimated Amount: \$25,000
Account No.: 37370510 – 503121 - 45202
Funding Source: General Services Department - Fleet Services Internal Fund
Districts: All
Sole Source No.: 2007-214
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

7C. Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend the current Contract 2004-193R Supplemental Life Insurance (Life, Dental, Vision & Disability) for one additional year pursuant to the provisions to an award approved by City Council on September 7, 2004. Contract period: September 1, 2007, through August 31, 2008.

Department: Office of Management & Budget/Insurance & Benefits
 Award to: Block Vision
 United Concordia-Dental
 Safeguard Health Plans, Inc.-Dental
 ING Employee Benefits-Life
 UNUM Provident-Disability Coverage
 Option: One (of two)
 Account No.: Employee Supported
 Funding Source: N/A
Districts: All
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

8. BIDS:

- 8A.** The award of Solicitation No. 2007-171 (Proprietary Parts & Service-Dodge/Chrysler Motor Company) to Driveway Dodge, Chrysler, Jeep for a total estimated award of \$120,000.

Department: General Services-Fleet Division
 Award to: Driveway Dodge, Chrysler, Jeep
 El Paso, Texas
 Items: A and B
 Option: Vendor offers the City the option to extend the term of the contract at the same unit prices for two additional years if the option is exercised within three years from the date of the award.
 Annual Estimated Amount: \$40,000
 Account No.: 37370510 – 503121 - 45202
 Funding Source: Fleet Services Internal Service Fund
 Total Estimated Award: \$120,000
Districts: All

This is a requirements type contract with an initial term of thirty six months.

The Departments of Financial Services and General Services-Fleet Division recommend award as indicated to the lowest responsive, responsible bidder.
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 8B.** The award of Solicitation No. 2007-178 (Waterous Proprietary Parts) to Spartan Motors Chassis, Inc. for a total estimated award of \$90,000.

Department: Fire
 Award to: Spartan Motors Chassis, Inc.
 Mesquite, Texas
 Item: 1
 Option: Vendor offers the City the option to extend the term of the contract at the same unit prices for one additional year if the option is exercised within two years from the date of the award.
 Annual Estimated Amount: \$30,000
 Account No.: 22010320 – 503118 - 01101
 Funding Source: Fire Department General Operating Funds
 Total Estimated Award: \$90,000
Districts: All

The Departments of Financial Services and Fire recommend award as indicated to the lowest responsive, responsible bidder.

8C. The award of Solicitation No. 2007-149 (Duty Uniforms - Rebid) to Bazaar Uniforms & Men's Store, Uniforms of Texas, Lion Apparel, and Rock's/School Wear for a total estimated award of \$261,381.26.

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|----------------------------|---|
| Solicitation No.: 2007-149 | Duty Uniforms - Rebid |
| Award to: Vendor 1: | Bazaar Uniforms & Men's Store |
| | El Paso, Texas |
| Items: | Group I: 1, 2, 3 and 4, Group II: 3 thru 10, Group III: 1 thru 6, Group IV: 1, 2, 3, and 4 |
| Annual Estimated Amount: | \$251,998.76 |

| | | |
|--------------------------|-----------|-------------------|
| | Vendor 2: | Uniforms of Texas |
| | | El Paso, Texas |
| Items: | | Group II: 11 |
| Annual Estimated Amount: | | \$3,900 |

| | |
|--------------------------|------------------------------|
| Vendor 3: | Lion Apparel Dayton, Ohio |
| Items: | Group II: 1 and 2 |
| Annual Estimated Amount: | \$3,562.50 |

| | |
|--------------------------|----------------------|
| Vendor 4: | Rock's / School Wear |
| | El Paso, Texas |
| Items: | Group III: 7 and 8 |
| Annual Estimated Amount: | \$1,920 |

| | |
|------------------------|---|
| Department: | Fire |
| Funds available: | 22010100 – 503120 – 01101 |
| Funding source: | Fire Department General Operations Fund |
| Total Estimated Award: | \$261,381.26 |
| Districts | All |

The Departments of Financial Services and Fire recommend award as indicated to the lowest responsive, responsible bidder.

REGULAR AGENDA - INTRODUCTIONS

9. **INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

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- 9A. An Ordinance limiting the use of the power of eminent domain on non-blighted private property in the Redevelopment Districts of the Downtown 2015 Plan. **(District 8)** [Representative Melina Castro, (915) 541-4400]
- 9B. An Ordinance amending Title 19 (Subdivisions) of the El Paso City Code, Chapters 19.08 (Platting Procedures), 19.28 (Construction and Guarantees) and 19.32 (Inspection and Acceptance of Improvements), by clarifying the requirements for subdivision improvement plan submission, approval and phasing; inspections of subdivision improvements; and replacing all references to the Deputy Director of Building Services. The penalty being as provided in Section 19.04.190 of the Code. **(All Districts)**
[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]
- 9C. An Ordinance granting a Special Privilege to the El Paso Festival Association to temporarily close portions of Texas Avenue, Florence Street, Ochoa Street, Virginia Street, St. Vrain Street, Ange Street, and Octavia Street from August 17, 2007, through August 20, 2007, for a "Custom Car and Chopper Street Festival". SPL07-00009 **(District 8)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9D. An Ordinance granting a special privilege to Enriquez & Enriquez, Ltd to temporarily close a portion of Roswell Road for a "30th Anniversary Celebration" to be held on Saturday, August 4, 2007. SPL07-00007 **(District 3)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9E. An Ordinance annexing a portion of Montana Avenue and a portion of Sections 28, 33 and 34, Block 79 Township 2, Texas and Pacific Railway Company Surveys into the City of El Paso, Texas. Subject Property: north of Montana Avenue and east of Loop 375. Applicant: County of El Paso, Cesar Viramontes, Bam Joint Venture, Roberto Barron, Armando Barron, and Daniel Barron. AN07003 **(East ETJ – Adjacent to District 5)**
[Development Services/Planning, Christina Valles, (915) 541-4930]
- 9F. An Ordinance amending Title12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets), of the El Paso City Code to add a new location of Sunglow Avenue from 100 feet east of Avalon Drive to a point 300 feet west thereof. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 3)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 9G. An Ordinance amending Title12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection "F" (Thirty-Five Miles per Hour), of the El Paso City Code to add Sean Haggerty Drive. The penalty is as provided in section 12.84.010 of the El Paso City Code. **(District 4)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 9H. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection "F" (Thirty-Five Miles per Hour), of the El Paso City Code to amend the thirty-five miles per hour speed limit on High Ridge Drive. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(District1)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

- 9I.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), and Section 12.88.180 (No Stopping or Standing – Tow-Away Zone), of the El Paso City Code, to add an area on Common Drive. The penalty being as provided in Section 12.88.180F (Violation - Penalty) of the El Paso City Code. **(District 7)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 9J.** An Ordinance authorizing the City of El Paso to sell 0.459 acres of land, more or less, being a portion of Portion of Block 38, Clardy-Fox Subdivision, Unit 5, El Paso, El Paso County, Texas, commonly known as 200 Lisbon Street, to Jorge Valenzuela. **(District 3)** [Financial Services, Gonzalo Cedillos, (915) 541-4074]
- 9K.** An Ordinance authorizing the City of El Paso to sell 1.734 Acres of land, more or less, being a portion of Tract 4A-31A, Block 2, Ascarate Grant, El Paso, El Paso County, Texas, commonly known as 8929 Viscount Boulevard to Harmon Custom Homes, LLC. **(District 3)** [Financial Services, Gonzalo Cedillos, (915) 541-4074]

PUBLIC HEARING WILL BE HELD ON JULY 17, 2007, FOR ITEMS 9A – 9K

- 9L.** An Ordinance changing the zoning of Lot 3, and the west 11 ½ feet of Lot 2, and the east 2 feet of Lot 4, Block 89, Bassett Addition, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 2426 Montana Avenue. Applicants: Miguel Torres and Ysela Duarte-Torres. ZON07-00041 **(District 8)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9M.** An Ordinance changing the zoning of a portion of Tract 6, Bootheville Subdivision, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm), C-1 (Commercial), and C-1/C (Commercial/Condition) to C-2/C (Commercial/Condition). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8610 North Loop Drive. Applicants: Juan R. and Rosa I. Garibay. ZON07-00013 **(District 7)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9N.** An Ordinance changing the zoning of a portion of Lot 9, Block 4, Hueco View Acres, City of El Paso, El Paso County, Texas, from C-1/SC (Commercial/Special Contract) District to C-3/SC/C (Commercial/Special Contract/Conditions) District and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: east of George Dieter Drive and south of Turner Road. Applicants: John Trien. ZON07-00039 **(District 5)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9O.** An Ordinance changing the zoning of Tracts 1L1 & 1L2, Block 10, Upper Valley Surveys, City Of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) District to R-2 (Residential/Condition) District and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: east of Westside Drive and south of Tyler Seth Drive. Applicants: C & R Properties Inc./Rio Agua Dulce LP. ZON07-00037 **(District 1)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]

- 9P.** An Ordinance changing the zoning of Tract 10C, Block 6, Ysleta Grant, City Of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) District to R-4 (Residential) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North Loop Road. Applicant: George Gomez. ZON07-00043 **(District 7)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]
- 9Q.** An Ordinance changing the zoning of portions of Tracts 51 & 52, Cineque Park Subdivision, City Of El Paso, El Paso County, Texas, from R-F (Ranch-Farm) District to R-5 (Residential) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8181 Starr Avenue. Applicant: Alma R. Avalos ZON07-00047 **(District 7)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]
- 9R.** An Ordinance changing the zoning of Tract 1H and 1H1, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) District to P-R L/C (Planned Residential/Condition) District, and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: south of Artcraft Road and east of Westside Drive. Applicants: GE Development. ZON07-00033 **(District 1)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]
- 9S.** An Ordinance changing the zoning of a portion of Section 16, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) District to Q/C (Quarry/Condition) District and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: east of Patriot Freeway, west of Dyer Street. Applicant: City of El Paso/El Paso Water Utilities. ZON07-00049 **(District 4)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9T.** An Ordinance changing the zoning of a portion of Tract 6A, 6A1, 6B, and 6B2, Section 33, Tracts 2 and 3, and a portion of Tract 1, Section 28, and Tract 11-C, and a portion of Tract 11-C-1, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) District to C-4 (Commercial) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: north of Montana Avenue and east of Purple Heart Boulevard. Applicant: Cesar Viramontes. ZON07-00060 **(District 5)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]

PUBLIC HEARING WILL BE HELD ON JULY 31, 2007, FOR ITEMS 9L – 9T

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

10. PUBLIC HEARINGS – DEVELOPMENT SERVICES

10A. An Ordinance changing the zoning of Tracts 10A, 10B, and 10C, Block 14, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 321 Lomaland Drive. Applicant: Walter and Amelia Garcia. ZON07-00027 **(District 7)**

[Development Services/Planning, Esther Guerrero, (915) 541-4720]

10B. An Ordinance changing the zoning of the South 60 feet of Tract 187, Sunrise Acres, City of El Paso, El Paso County, Texas, from R-4 (Residential) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8641 Gateway Boulevard South. Applicant: Carlos Nuñez and Teresa Nuñez. ZON07-00035 **(District 2)**

[Development Services/Planning, Natalie Nevarez-Straight, (915) 541-4904]

11. PUBLIC HEARING – MAYOR AND COUNCIL:

An Ordinance amending Ordinance No. 16086 to revise the deadlines for placing matters on the Agenda for City Council Meetings. **(All Districts)**

[Representative Jose Alexandro Lozano, (915) 4515]

12. PUBLIC HEARING – CITY ATTORNEY’S OFFICE:

An Ordinance amending sections of Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments). To eliminate the reinspection fee for food operations; the penalty being as provided in Section 9.12.890 of The El Paso City Code. **(All Districts)**

[City Attorney’s Office, Elaine Hengen, (915) 541-4550, on behalf of Robert Galvan, El Paso City County Health and Environmental District, (915) 771-5702]

13. PUBLIC HEARING – OFFICE OF MANAGEMENT AND BUDGET:

An Ordinance amending Title 2 (Administration and Personnel) by deleting Chapter 2.96, City Employees' Health Benefit Program Advisory Board, of the El Paso City Code in its entirety. **(All Districts)** [Office of Management & Budget, David Almonte, (915) 541-4777]

REGULAR AGENDA – OTHER BUSINESS

14. MAYOR AND COUNCIL:

14A. Discussion and action to instruct the City Manager to immediately, in an effort to preserve the health, safety, and welfare of residents of Northeast El Paso and others who may utilize city roadways in Northeast El Paso, take whatever remedial steps are required to return the traffic flows on Rushing Street to the normal operational capacity consistent with their original design. Recent changes to this street have placed the public at risk by altering the traffic flows in a manner that is inconsistent with the vehicular traffic demands and such changes must be removed in a timely, safe, and efficient manner. **(District 4)**

[Representative Melina Castro, (915) 541-4400] **POSTPONED FROM 04-03-07**

- 14B.** Discussion and action on installing a speed hump and/or other traffic control device on Rose Lane as requested from neighbors and supported by Representative Jose Alexandro Lozano.
[Representative Jose Alexandro Lozano, (915) 541-4515]
POSTPONED FROM 05-22-07 AND 06-12-07
- 14C.** Discussion and action regarding the appointment of the following individuals to the Board of Directors of Tax Increment Reinvestment Zone Number 5:
1. Jesse Alvarez
 2. Mark Bernat
 3. David P. Buchmueller
 4. Pauline Ann Dow
 5. Bonnie S.Y. Escobar
 6. Rebecca Friesenhahn
 7. Hector Gutierrez, Jr.
 8. Frank Rene Lopez
 9. Keith A. Mahar
 10. George Reynoso
- [Mayor John F. Cook, (915) 541-4015] POSTPONED FROM 06-26-07
- 14D.** Discussion and action on the establishment of the Friends of the River Park Trail
[Representative Ann Morgan Lilly, (915) 541-4151]
- 14E.** Discussion and action to disband the Transportation Legislative Review Committee due to lack of quorums. [Representative Melina Castro, (915) 541-4400]
- 14F.** Discussion and action on a Resolution that the City Manager be authorized to accept and execute the Assignment by Arthur Nuñez of all rights to his multi-media craft piece entitled "Smeltertown" and to sign any related documentation to effectuate such assignment of rights. **(All Districts)**
[City Attorney's Office, Raymond L. Telles, (915) 541-4550]
- 14G.** Discussion and action on broadcasting and/or video-streaming all Regular and Special City Council meetings and all Legislative Review Committee meetings.
[Representative Steve Ortega, (915) 541-4124]
- 14H.** Discussion and action on an ordinance to cap the property tax on residential property at 5%, lowered from the current statutory cap of 10%.
[Representative Rachel Quintana, (915) 541-4189]
- 14I.** Discussion and action on requiring the City Manager to provide alternate sources of revenue to City Council in order to supplement revenue from proposed tax caps and tax cuts by District 5 Representative Rachel Quintana. Sources of alternate revenue should include Payments in Lieu of Taxes (PILOTs) from all of the City's chartered entities (El Paso Municipal Airport, El Paso Water Utilities, Housing Authority of the City of El Paso, etc.) and any other governmental entities that the City has jurisdiction over.
[Representative Rachel Quintana, (915) 541-4189]
- 14J.** Discussion and action on raising the bridge fees on the International Bridges in order to supplement the costs of tax caps and tax cuts being proposed by District 5 Representative Rachel Quintana.
[Representative Rachel Quintana, (915) 541-4189]

15. DEVELOPMENT AND INFRASTRUCTURE SERVICES:

15A. Discussion and action to direct that the City Manager modify Title 9 (Health & Safety), Chapter 9.10 (Mulberry Trees), by revising the regulations to remove the prohibition on the planting of mulberry trees as submitted by the Planning and Development Services Legislative Review Committee. **(All Districts)**

[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

15B. Discussion and action on a Resolution adopting a fee for Expedited Plan Review for submission and review of Subdivision Improvement Plans required by Title 19 (Subdivisions) of the El Paso City Code and administered by the Development Services Department. **(All Districts)**

[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

16. ENGINEERING:

Discussion and action on a Resolution that the City exercises the option to extend the existing one year Professional Services Agreement for a project known as "Traffic Engineering Consulting Services" on an as-needed basis by and between the City of El Paso and Martinez Engineering Group, Inc., for one additional one-year period. **(All Districts)**. [Engineering, Javier Reyes, (915) 541-4630]

17. FINANCIAL AND ADMINISTRATIVE SERVICES:**17A. BEST VALUE PROCUREMENT:**

Discussion and action on the award of Solicitation No. 2007-165 (2007 Roof Repairs and Replacement Project) to Matyear Construction Co., Inc. for a total estimated amount of \$502,958.60.

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|------------------------|--|
| Department: | General Services |
| Award to: | Matyear Construction Co., Inc. |
| | El Paso, Texas |
| Base Bid: | \$502,958.60 |
| Account No. | PCP06MF002 – 99331117 – 27263 - 508027 |
| Funding Source: | 2006 Certificate of Obligation |
| Total Estimated Award: | \$502,958.60 |
| Districts: | All |

This project consists of approximately 125,000 square feet of roof repairs and replacement on citywide facilities.

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

This is a best value unit-price contract.

The Departments of Financial Services, Engineering, and General Services recommend award to the bidder offering the best value bid.

[Development Services/Engineering, R. Alan Shubert, (915) 541-4557]

17B. REQUEST FOR PROPOSALS:

Discussion and action on the award of Solicitation No. 2007-097R (Employee Benefits) to Aetna Life Insurance Company – TPA and PPO, Medco Health Solutions, Inc. - Pharmacy, ING Employee Benefits Reliastar Life Insurance Company – Stop Loss, and Deer Oaks EAP Services, LLC – EAP for a total estimated award of \$13,125,468.72.

| | |
|-----------------------------|--|
| Department: | Office of Management & Budget/Insurance & Benefits |
| Award to: Vendor 1 | Aetna Life Insurance Company |
| | Hartford, CT |
| Items: | TPA and PPO Network |
| Estimated Annual Fees: | \$2,636,335.96 |
| Award to: Vendor 2 | Medco Health Solutions, Inc. |
| | Franklin Lakes, NJ |
| Item: | Pharmacy |
| Estimated Annual Fees: | \$302,879.20 |
| Award to: Vendor 3 | ING Employee Benefits Reliastar Life Insurance Company |
| | Minneapolis, MN |
| Item: | Stop Loss |
| Estimated Annual Fees: | \$1,402,011.08 |
| Award to: Vendor 4 | Deer Oaks EAP Services, LLC |
| | San Antonio, TX |
| Item: | EAP |
| Estimated Annual Fees: | \$33,933.00 |
| Total Annual Est. Fees: | \$4,375,156.24 |
| Account No.: | 04100248 – 45121 - 502119 |
| Funding Source: | Health Insurance & Benefits - Health Benefits |
| Total Estimated Award: | \$13,125,468.72 (3 year estimate) |
| Districts: | All |

The Office of Management and Budget/Insurance & Benefits, Consultant, and the review committee have met and reviewed the Proposals that were received. It is the recommendation of the committee to award the RFP to the indicated vendors. The Fully Insured Medicare Advantage Option will not be awarded. The proposal responses addressed the scope and intent of the RFP.

This is a thirty-six month contract with the options to extend the contracts for two additional years, one year at a time.

Additionally, it is requested authorization for City Attorney's Office to review and the City Manager be authorized to execute any related contract documents, agreements, and budget transfers necessary during the contract.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

18. CITY MANAGER:

City Manager's report of current events and issues:

- 18A.** Presentation of FY 2008 Budget Operations and Maintenance Recommendations.
[Office of Management and Budget, David Almonte, (915) 541-4777]
- 18B.** Quarterly Financial Report: 3rd Quarter for Fiscal Year 2007.
[Financial and Administrative Services, William Studer, (915) 541-4011]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

| | |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES |
| Section 551.087 | DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS |

Discussion and action on the following:

- EX1.** Rafael Gardon vs. City of El Paso; Cause No. 2003-493. (551.071)
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Claim of McCormick Architecture/Ruby Coates Park, Our File No. 06-C-276/ENG. (551.071) [City Attorney's Office, Michele C. Daly, (915) 541-4550]

NOTICE TO THE PUBLIC:

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Hearing Assistance Devices are available upon request.

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